

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Sean Trueman,

Plaintiff,

V.

American Coradius International LLC, and
USAA Savings Bank,

Defendant.

Civil Action No.:

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, defendant, American Coradius International LLC (“ACI”), through undersigned counsel, hereby removes this action from the Supreme Court of the State of New York, County of Erie, to the United States District Court for the Western District of New York. In support of this Notice of Removal, ACI states as follows:

1. Plaintiff, Sean Trueman, originally commenced this action by filing a Complaint against ACI in the Supreme Court of the State of New York, County of Erie, where it is presently captioned as *Sean Trueman v. American Coradius International LLC, and USAA Savings Bank*, Index No. 803373/2016. No further proceedings before the state court have occurred.

2. In the Complaint, plaintiff alleges federal and state law causes of action against ACI. Attached hereto as Exhibit A are true and correct copies of the process

and pleadings in the State Court Action. No further proceedings have taken place in the State Court Action.

3. Plaintiff accuses ACI of violating the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.*, and New York Gen Bus. Law § 349.

4. ACI received plaintiff’s Summons and Complaint on or about April 5, 2016.

5. This Court has federal question jurisdiction over plaintiff’s claim pursuant to 28 U.S.C. §§ 1331 and 1441 in that the claims are founded on a claim or right arising under the laws of the United States. This Court has supplemental jurisdiction over plaintiff’s state law claims.

6. This Notice of Removal is timely, having been filed within thirty (30) days of the date on which ACI received plaintiff’s Complaint. *See* 28 U.S.C. § 1446. As of the date of this Notice of Removal, co-defendant USAA Savings Bank has not been served.

7. Written notice of this Notice of Removal of this action is being immediately provided to the Supreme Court of the State of New York, County of Erie. *See* Ex. “B.”

8. Written notice of this Notice of Removal of this action is being caused to be served on the plaintiff.

WHEREFORE, defendant, American Coradius International LLC, gives notice that this action is removed from the Supreme Court of the State of New York,

County of Erie, to the United States District Court for the Western District of New York.

Dated: April 21, 2016

Respectfully Submitted,

/s/ Aaron R. Easley
Aaron R. Easley, *Esq.*
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Attorneys for Defendant,
American Coradius International LLC

CERTIFICATE OF SERVICE

I hereby certify that on Thursday, April 21, 2016, a copy of the foregoing was served electronically upon the Clerk of the Court, and via regular mail upon counsel for plaintiff at the below address:

Maksim Reznik, *Esq.*
REZNIK LAW FIRM, PLLC
30 Wall St., 8th Floor, #741
New York, NY 10005
Attorney for Plaintiff,
Michael Ballestros

By: /s/ Aaron R. Easley
Aaron R. Easley, *Esq.*
Attorneys for Defendant,
American Coradius International LLC